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Chairman: Mr. Butagira ..... (Uganda)

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05-55954 (E)

The meeting was called to order at 10.10 a.m.

Agenda item 64: Advancement of women (*continued*) (A/C.3/60/L.12, L.13, L.14, L.15, L.16 and L.17)

Draft resolution A/C.3/60/L.12: In-depth study on all forms of violence against women

1. **Mr. Bertoux** (France), speaking on behalf of the Netherlands and more than 60 other sponsoring countries, introduced the draft resolution. He explained that its four main objectives were to: manifest the political commitment of Member States; emphasize that the entire United Nations system should collaborate in carrying out the study; urge Member States to contribute to funding the study; and endorse the one-year delay in submitting the relevant report to the General Assembly. The text of the draft resolution had been revised by adding the words "and, wherever possible, draw attention to it, so as to expand opportunities for contribution to its preparation and follow-up" to the end of paragraph 5; and the words "and to provide, as applicable, the Secretary-General with updated information on issues to be covered by the study" to the end of paragraph 6.

2. Jamaica, Chile, Venezuela, Uruguay, Bosnia and Herzegovina, United Republic of Tanzania, Argentina and Mozambique indicated their desire to sponsor the draft resolution.

Draft resolution A/C.3/60/L.13: United Nations Development Fund for Women

3. **Mr. Hyassat** (Jordan), also speaking on behalf of Canada, Mexico, Niger, Guatemala and Slovenia, introduced the draft resolution. It highlighted recent developments concerning the United Nations Development Fund for Women (UNIFEM) as well as that agency's current focus. He added that informal consultations were ongoing, and that a revised text might be introduced in due course. He also expressed hope that the Committee would adopt the draft resolution by consensus.

4. Thailand, Timor-Leste, Mali, New Zealand, Panama, Mongolia and Burkina Faso indicated their desire to join the sponsors.

Draft resolution A/C.3/60/L.14: Improvement of the situation of women in rural areas

5. **Ms. Enkhtsetseg** (Mongolia), introducing the draft resolution, said that it called on Member States to mobilize the resources required to increase the access of women to land ownership, health care, financial services and decision-making processes. She added that proposals and changes to the draft had been received, and consultations were currently in progress. A revised document would be submitted in due course.

6. In addition to Burkina Faso, Chile, Democratic Republic of the Congo, Ecuador, Ghana, Haiti, Madagascar, Malawi, Malaysia, Morocco, Niger, Nigeria, Philippines, Senegal, Thailand, Timor-Leste and Togo, the countries of Costa Rica, Namibia, Bolivia, Mexico, Mozambique, Zimbabwe, Colombia, United Republic of Tanzania, Dominican Republic and Kenya expressed their desire to join the sponsors of the draft resolution.

Draft resolution A/C.3/60/L.15: Future operation of the International Research and Training Institute for the Advancement of Women

7. **Mrs. Bowen** (Jamaica), speaking on behalf of the Group of 77 and China, introduced the draft resolution, explaining that in broadening its horizons, the International Research and Training Institute for the Advancement of Women had responded positively to research needs related to current women's issues in developing countries. The Institute sought to secure future operations on a more predictable, sustainable path.

8. Mexico, Iraq and Bangladesh expressed the wish to join with Jamaica in sponsoring the draft resolution.

Draft resolution A/C.3/60/L.16: Violence against women migrant workers

9. **Mr. De Leon** (Philippines), speaking on behalf of Indonesia, Peru, Ecuador and Paraguay, introduced the draft resolution, noting that it was designed to increase gender sensitivity in migration and to highlight the fact that women migrant workers required special protection. The draft resolution reflected recent developments such as the increasing feminization of international migration, the tendency of migrant women to be employed in the informal economy, and the need to empower migrant workers and to adopt gender policies on migration.

10. Tunisia, Senegal, Morocco, Guatemala, Burkina Faso, Bolivia, Bangladesh, Mongolia, Nigeria, Colombia and Côte d'Ivoire indicated their desire to join the sponsors of the draft resolution.

Draft resolution A/C.3/60/L.17: Convention on the Elimination of All Forms of Discrimination against Women

11. **Mrs. Merchant** (Norway), introducing the draft resolution, as orally revised, said that its main purpose was to authorize the Committee on the Elimination of Discrimination against Women to hold extra sessions in the two upcoming years and to be able to meet in parallel working groups, on a temporary basis, in order to enhance its ability to discharge all its responsibilities. Revisions to the draft resolution included replacing the first word of preambular paragraph 8 with the word "Welcoming" and adding the phrase "on an exceptional and" after the words "to meet" in the first line of paragraph 15.

12. Argentina, Antigua and Barbuda, Côte d'Ivoire, Kenya, Paraguay, Zimbabwe, Cape Verde, San Marino, Burkina Faso, Togo, Timor-Leste, Venezuela, Bosnia and Herzegovina, Bolivia, Belize, Estonia, Bangladesh, Ecuador, Dominican Republic, Indonesia, Mali and Madagascar expressed the wish to join Costa Rica, Israel, Malawi, Namibia, Republic of Korea, Macedonia, Switzerland and Turkey in sponsoring the draft resolution.

Agenda item 68: Indigenous issues (A/60/270 and Add.1, and A/60/358)

13. **Mr. Schölvinck** (Director of the Division for Social Policy and Development, United Nations Department of Economic and Social Affairs), speaking on behalf of José Antonio Ocampo, Under-Secretary-General for the Department of Economic and Social Affairs, said that a majority of the world's indigenous peoples continued to live on the margins of society. They numbered some 370 million, approximately one twentieth of the world's population, and represented more than one tenth of the world's poor. Human Development Report 2004, published by the United Nations Development Programme (UNDP), had concluded that in many countries public spending in basic social services "systematically discriminates against minorities and indigenous peoples". The United Nations development agenda should continue to focus on indigenous issues, including economic and social development, culture, the environment, education, health and human rights.

14. In that connection, the Permanent Forum on Indigenous Issues had issued recommendations in several key areas and had noted that without taking into account the voices of indigenous peoples, millennium target processes might lead to accelerated loss of land and natural resources and hasten assimilation, thus prolonging and even worsening the marginalization and poverty of indigenous groups. It recommended that Member States and the United Nations system consider definitions of extreme poverty developed by indigenous peoples. The Forum also stressed that education should take into account the identities, languages, cultures and traditional knowledge of indigenous peoples.

15. As part of the Second International Decade of the World's Indigenous People, a comprehensive draft programme of action had been prepared, with five main objectives, namely: non-discrimination and inclusion, full and effective participation, development with culture and identity, targeted programmes and budgets, and strengthened monitoring and accountability.

16. Indigenous peoples believed that a sustainable future lay in ensuring the collective well-being and in maintaining a harmonious relationship with the Earth. Clearly, a world riddled with socio-economic disparities, conflict, insecurity and extreme poverty could not be sustained unless such problems were addressed holistically and interdependently. Development policymakers from Member States should draw on that philosophy to bring about concrete and positive change in the lives of indigenous peoples.

17. **Mr. Schölvinck** referred to the fourth session of the United Nations Permanent Forum on Indigenous Issues, held in May 2005. He focused on the first and second Millennium Development Goals as they related to indigenous peoples, concerning the eradication of extreme poverty and primary education for all. The session had resulted in a number of key recommendations, addressed to the Economic and Social Council, as well as Governments, indigenous organizations and other non-governmental and civil society organizations. The Forum had appointed special rapporteurs to analyse the implementation status of its previous recommendations, with a view to their prioritization, to prepare a paper on the Forum's methods of work and to establish productive relations

with the Intergovernmental Forum on Forests. It had also initiated an expert meeting on indigenous traditional knowledge, recently held in Panama City.

18. He noted that in the previous year a draft comprehensive Programme of Action had been drawn up for the Second International Decade of the World's Indigenous People and that the Trust Fund set up for the Decade had already received its first contribution. In addition, the Inter-Agency Support Group on Indigenous Issues had grown to include 23 United Nations and other intergovernmental entities among its members. Its 2005 meeting had focused on regional and country levels of the United Nations system, and was aimed at raising awareness about the mandate and recommendations of the Permanent Forum, strengthening coordination on indigenous issues and promoting the implementation of the Forum's recommendations. The strong commitment demonstrated within the system to improving the lives of indigenous people had been echoed by Member States through General Assembly resolution 59/174. He called on Member States to contribute to the Voluntary Fund on Indigenous Issues.

19. **Mr. Stavenhagen** (Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people), introducing his report (A/60/358), stressed the relevance to indigenous peoples of the Millennium Development Goals, in particular, the eradication of extreme poverty and hunger, and universal primary education. He noted the importance of the cooperation extended to him by the Permanent Forum on Indigenous Issues. Poverty, a multidimensional phenomenon and one of the gravest human rights violations, was especially devastating for indigenous peoples, and even more so to indigenous women. Measures to address the problem had to be taken as a matter of urgency, and they required consultation with the communities concerned, which should be regarded as an essential policy input and not just a formality.

20. Among the barriers that prevented indigenous peoples from enjoying their human rights, he singled out the difficulties they had in gaining full access to educational services, particularly in the case of girls; the education offered them not only failed to meet minimum standards and was generally of a poorer quality than that available to the rest of the population, but also was not appropriate, leading to extremely high dropout rates. While there had been some progress in that respect, the goal of primary education for girls and boys could only be attained if specific measures were taken in consultation with the indigenous communities themselves. Ethnic and gender discrimination in schools and the family and the scourge of child labour were also of special concern.

21. He continued to receive reports of violations of the human rights and fundamental freedoms of indigenous peoples, including extrajudiciary killings, death threats, and lack of access to natural resources and basic social services. Indeed, despite ongoing efforts to implement the recommendations of the 2002 World Conference against Racism, in Durban, many cases of discrimination on ethnic grounds continued to be reported. At the same time there was a growing trend to criminalize legitimate movements seeking recognition of their human and social rights on the pretext of combating terrorism. In addition, indigenous peoples were suffering especially from situations of violent conflict in Latin America, Asia and Africa; in some cases their very survival was at risk. He was in regular contact with the Special Adviser on the Prevention of Genocide about those situations, as requested by the Commission on Human Rights. Prevention was the key, indicating the urgency for early warning mechanisms to be put in place.

22. Referring to the 2005 World Summit Outcome, and particularly to the commitments specified in support of the human rights of indigenous peoples, he urged Member States to comply with ILO Convention 169 on Indigenous and Tribal Peoples and eventually to ratify it. He expressed the hope that a United Nations declaration on the rights of indigenous peoples would soon be finalized.

23. **Mr. Wood** (United Kingdom), speaking on behalf of the European Union, asked whether there were particular areas within the Millennium Development Goals where improvements should be sought for indigenous peoples. He also wished to know whether the Special Rapporteur was in contact with the International Committee of the Red Cross regarding indigenous peoples in conflict situations. Lastly, he asked him to give specific examples of the fight against terrorism being used as a pretext for clamping down on indigenous peoples.

24. **Mr. Alaie** (Islamic Republic of Iran) said that the treatment of indigenous people was an important element in any assessment of the human rights

situation in a country; such assessments needed to take into account their social and economic status and their relationship to the environment, while the question of their self-determination was also critical. The Special Rapporteur's official visits to countries offered the international community a valuable means of improving the situation. According to the Special Rapporteur, in Canada, the aboriginal people were frequently discriminated against and suffered from violations of their economic, social and human rights. He asked the Special Rapporteur to describe the Canadian Government's reaction to his comments and to elaborate on the various aspects of the right of self-determination of indigenous peoples, with particular reference to how that right might be realized in the countries where they lived.

25. *Mr. Anshor (Indonesia), Vice-Chairman, took the Chair.*

26. **Ms. Taracena Secaira** (Guatemala), emphasizing that in her country the indigenous people were traditionally identified with Mother Earth and depended on natural resources, raised the question of how the vulnerability resulting from such dependency could be minimized. She noted that funds available under the Millennium Development Goals were being devoted to emergency needs in disaster situations and consequently could not be used to support the development of indigenous people, who would thus continue to lag behind.

27. **Mr. Stavenhagen** (Special Rapporteur), responding to the United Kingdom, said the Millennium Development Goals should take account of the human rights of all peoples, including the indigenous population, especially with regard to the eradication of poverty, the establishment of universal primary education and the elimination of discrimination against women. Their right of prior consultation and consent should be introduced into public policy, particularly in matters of investment and legislation affecting them, as stipulated in ILO Convention 169.

28. He would contact the International Committee of the Red Cross on issues concerning the violation of their rights in conflict situations as soon as possible. The Commission on Human Rights had asked him to study allegations of terrorist activity levelled at indigenous groups, in cooperation with the Office of the United Nations High Commissioner for Human Rights. He invited countries to provide information on measures taken or planned for the implementation of the relevant recommendations of the Commission.

29. With regard to the concerns expressed by the representative of Guatemala, he wished to convey his sorrow at the devastation wreaked in the country by the recent hurricane, adding to the suffering of people already sorely afflicted. He stressed that, while humanitarian assistance was important, it was not enough. The damage caused by such disasters were sometimes due to bad economic and social policies. Those policies had to be reviewed so as to enable indigenous people to have a say in the development and use of natural resources, with due regard for their cultural identity and for the environment.

30. **Archbishop Migliore** (Observer for the Holy See) noted with concern that conflicts might have been used as an excuse to clamp down unjustly on the human rights of indigenous people. He asked whether there had been any noticeable changes with regard to the situation of indigenous peoples since the comparatively recent identification of the importance of securing their free, prior and informed consent.

31. **Mr. Stavenhagen** (Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people) said that while there was growing agreement about the need to exercise the right to consultation, Governments, authorities and even multilateral organizations did not always consult indigenous groups adequately before taking their decisions. It was therefore important to develop an appropriate methodology for consultation proceedings that would satisfy the indigenous groups themselves.

32. **Ms. Shoman** (Belize), speaking on behalf of the Caribbean Community (CARICOM), said that the activities of the First International Decade of the World's Indigenous People had resulted in a growing understanding of the obstacles indigenous peoples faced in preserving their culture, livelihoods and communities. One of the major achievements of the First Decade was the establishment of the Permanent Forum on Indigenous Issues, which had provided a systematic approach to addressing the challenges facing indigenous peoples. The work of the Forum should be fully taken into account in the plan of action for the Second Decade; CARICOM supported its five key objectives.

33. While the quality of life of indigenous peoples had improved, they continued to be among the poorest

and the most marginalized in many countries. The international community should therefore make further efforts to ensure that all indigenous peoples enjoyed full human rights and measurable improvements in their living conditions. The human and institutional capacities of indigenous peoples should be strengthened to enable them to better participate in decision-making processes at all levels.

34. The finalization of a United Nations declaration on the rights of indigenous people should be a matter of priority for the Second Decade. CARICOM would continue to work with the Commission on Human Rights Working Group to that end. The declaration should not fall below international standards and the Working Group should find innovative methods for finalizing its work.

35. **Ms. Garcia-Matos** (Bolivarian Republic of Venezuela), speaking on behalf of the Andean Community (Bolivia, Colombia, Ecuador, Peru and the Bolivarian Republic of Venezuela), said that the Andean Community had adopted an Integrated Social Development Plan, which had 20 projects to eradicate poverty and provide health and education to the most disadvantaged. The Andean Community had succeeded in defining a community strategy for social cohesion whereby integration would contribute to the shared goal of overcoming poverty, exclusion and inequality among indigenous peoples.

36. Under the Andean Charter for the Promotion and Protection of Human Rights adopted in 2002, the Andean Community promoted non-discrimination and the full and effective participation of indigenous peoples in decisions which directly or indirectly affected their lifestyles and their cultural integrity as indigenous peoples. The Andean Community firmly supported all efforts aimed at the promotion and protection of the fundamental rights and freedoms of indigenous people in areas such as linguistic identity, cultural heritage and historical traditions. It also emphasized the need to strengthen and increase international cooperation to cope with the problems facing indigenous peoples in the areas of health, education, culture, the environment and socio-economic development. Development policies needed to be redefined at the global level to include an equitable and culturally appropriate approach, with specific objectives for indigenous peoples, especially for indigenous women, children and young people.

37. The Andean Community hoped that the plan of action for the Second Decade would soon be adopted by consensus and that the Second Decade would produce a United Nations instrument of a binding nature to protect the rights of indigenous peoples.

38. **Ms. Intelmann** (Estonia) expressed regret that a declaration on the rights of indigenous peoples, one of the major objectives of the First Decade, had not been achieved. The rapid completion of a strong document should be the priority of the Commission on Human Rights Working Group. All parties involved in the negotiations should do their utmost to present a draft declaration for adoption as soon as possible.

39. The implementation of the Millennium Development Goals as they applied to indigenous peoples had to be viewed within the broader context of the Millennium Declaration. Indigenous peoples had the right to benefit from the Goals, and from the other goals and aspirations contained in the Declaration, to the same extent as all other people. The international community's efforts to reduce poverty should address the needs, rights and conditions of indigenous peoples. The programme of action of the Second Decade should place a strong emphasis on the implementation of all the Millennium Development Goals and improve the monitoring of their implementation.

40. The effective implementation of the programme of action depended on the full involvement of the indigenous peoples in defining, monitoring and evaluating national strategies that concerned them. It was important for all relevant actors to support and implement collection and disaggregation of data on indigenous peoples. Statistical data constituted a fundamental step for strengthening the capacity of Governments and indigenous peoples to evaluate their situation and design participatory solutions. Indigenous issues were among the priorities of Estonia, which had a long history of supporting the languages and cultures of Finno-Ugric peoples through cooperation in the fields of education and science. It was of utmost importance for the international community to strengthen bodies such as the Permanent Forum on Indigenous Issues by providing them with more financial, human and technical resources and by implementing their recommendations and policies.

41. **Mr. Thuemmel** (Germany) said that his country had pledged $75,000 to the United Nations Voluntary Fund for the Decade. Germany fully subscribed to the

main objectives of both the First and the Second Decades and would continue to provide support, particularly through international development cooperation.

42. Indigenous issues to be addressed during the Second Decade were related to consistently mainstreaming human rights and gender criteria; harmonizing and coordinating the strategies of multilateral development banks, United Nations funds and programmes, regional organizations and national donors; developing strategies and implementing projects of direct benefit to indigenous groups; and increasing the organization and active participation of those groups.

43. He looked forward to the forthcoming meeting of the Commission on Human Rights Working Group on the United Nations draft declaration on the rights of indigenous people and said that his country would participate actively in its deliberations. He hoped that, in a spirit of compromise, all parties would be able to finalize a text that did justice to the legitimate claim of indigenous peoples to enjoy fully all human rights and fundamental freedoms.

44. **Mr. Savua** (Fiji) endorsed the five key objectives of the plan of action for the Second Decade and supported "Agenda for life" as the most suitable theme for the Decade. Fiji welcomed the appeal in the report of the Secretary-General (A/60/270) for all States to develop policies to reverse ethnocentric perceptions of indigenous cultures by non-indigenous peoples. It also supported the recommendation that information and communication technology should be used to support and encourage cultural diversity and to preserve and promote indigenous languages and the distinct identities and traditional knowledge of indigenous peoples in a manner that they determined best advanced their goals.

45 His delegation noted with appreciation the emphasis on quality education in the mother tongue and on bilingual and intercultural education that was sensitive to indigenous holistic world views, languages and traditional knowledge. It also welcomed the exhortation that States should enact legislative measures to eliminate national policies and practices that created further difficulties for indigenous children to enjoy their right to education. Fiji also welcomed the recommendation that Governments should consider integrating traditional systems of justice into national legislation in conformity with international human rights law and international standards of justice. While his delegation supported the recommendations in the report related to health, its major concerns focused on cultural practices with a negative impact on health, including female genital mutilation, alcoholism, child marriages, and violence against women and children. To stop those practices, it urged all Member States to adopt targeted policies and programmes in partnership with indigenous peoples and non-governmental organizations.

46. **Ms. Critchlow** (Guyana) said that her delegation was particularly heartened by the report of the Secretary-General on implementation of the programme of activities for the International Decade of the World's Indigenous People (A/59/277). The Permanent Forum on Indigenous Issues had made a significant contribution to developments over the previous decade such as better access to development projects and increasing indigenous participation in local authorities.

47. In keeping with the Constitution of Guyana and the Charter of Civil Society for the Caribbean Community, Guyana reaffirmed the contribution of indigenous peoples to the development process and remained committed to respecting their cultural heritage and way of life. Guyana was one of a few countries to have experienced an increase in its indigenous population. National legislation accorded the same rights and status to indigenous people as other citizens and policies and programmes had been adopted over the years to ensure their equal and full participation in national life. Her Government's commitment to the attainment of the Millennium Development Goals also positively affected indigenous communities, which now had better access to quality education and health care. Pilot projects on native language instruction at the primary school level were ongoing.

48. Human rights, land rights and poverty reduction issues were being addressed. Initiatives were being undertaken to increase the employment prospects of Amerindians through the development of microenterprises and technical assistance to increase agricultural productivity. The World Bank had also been instrumental in strengthening public services to Amerindians and had provided assistance to the Government of Guyana to revise legislation on Amerindians.

49. Her Government largely concurred with the draft programme of action for the Second International Decade of the World's Indigenous People (A/60/270) and supported the adoption of the motto "Partnership for further action". Flexibility and innovative approaches would overcome the obstacles which had blocked consensus and finalization of the draft declaration on the rights of indigenous peoples. Indigenous people of CARICOM member States should be given greater opportunities to participate in the work of the Permanent Forum. Her delegation also called for the establishment of a voluntary fund for the Second International Decade of the World's Indigenous People and reiterated its commitment to their full integration and development.

50. **Mr. Dall'Oglio** (International Organization for Migration (IOM)) said that in addressing the rights of indigenous people, the nexus between indigenous people and migrants must not be overlooked. Both migrants and indigenous people experienced social marginalization, exclusion and discrimination. Indeed, indigenous migrants tended to be more marginalized than other migrants. They had limited access to educational and employment opportunities, health care and other services and faced restrictions on travel inside their own countries and abroad. Furthermore, because of the link between trafficking, ethnic discrimination and social marginalization, indigenous people, particularly women and children, were most at risk of being trafficked. Studies also indicated the growing incidence of HIV/AIDS transmission among indigenous women forced into prostitution or illegal labour.

51. Recognition should be given to the natural bond of indigenous people to their ancestral lands, which extended beyond internationally recognized borders; they were severely affected by development projects, pollution, environmental changes, militarization of land and armed conflict. Since many indigenous communities relied on hunting, fishing, gathering and herding, their livelihoods and traditional way of life were disproportionately affected by migratory movements.

52. Indigenous people must be included in international, regional and national policies and programmes. At its third session, in May 2004, the Permanent Forum on Indigenous Issues had recommended launching a new initiative under which IOM and other stakeholders would address issues relating to indigenous migrants and the special vulnerability of indigenous women migrants, as well as the lack of adequate data and attention to their problems. IOM was committed to addressing those issues as well as the link between international migration and development during the high-level dialogue on that item and offered its support for the Programme of Action for the Second International Decade of the World's Indigenous People.

53. **Mr. Haylock** (International Labour Organization (ILO)) said that since the adoption of the Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (Convention No. 169), internationally recognized as the foremost instrument on the subject, a new consciousness of the place and role of indigenous and tribal peoples in societies around the world had taken hold. In that context, ILO had taken increasing account of the special needs and contributions of these peoples in the process of national development.

54. ILO's ongoing commitment to the rights of indigenous peoples had been forcefully reasserted through the World Commission on the Social Dimension of Globalization. General Assembly resolution 59/57 called on Member States and United Nations organizations to consider the report of the Commission entitled "A fair globalization: creating opportunities for all" (A/59/98-E/2004/79).

55. It was estimated that indigenous peoples represented about 5 per cent of the world's population, but more than 15 per cent of the poor. The incidence of extreme poverty was higher among them than among other social groups. Indigenous and tribal women experienced the same disadvantages as their male peers, but often encountered additional barriers related to their gender and age.

56. Since 1999, Poverty Reduction Strategy Papers (PRSPs) had become the overall framework for lending, debt relief and development cooperation in low-income countries. The processes leading to the definition of national PRSPs were intended to be open and participatory. Related guidelines, however, were silent on involving indigenous and tribal peoples. Within the framework of the follow-up action on the elimination of discrimination at work, ILO was finalizing an ethnic audit of PRSPs in 14 countries to ascertain whether and how the rights, needs and aspirations of indigenous and tribal peoples had been

taken into account and whether they had been involved in consultations for the preparation of PRSPs.

57. ILO would be studying the impact of the Millennium Development Goals on indigenous peoples by undertaking three country case studies in Cambodia, Cameroon and one Latin American country. In each country, one indigenous community would be the focus of the research. These were but a few examples of the ILO's ongoing commitment to improving the living and working conditions of indigenous and tribal peoples and to mainstreaming a rights-based approach to indigenous issues.

58. **Mr. Sankurathripati** (World Intellectual Property Organization (WIPO)) said that the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore was established to discuss the international dimension of intellectual property in relation to those three areas and the possible development of a relevant international instrument or instruments.

59. The Committee recognized the need to address the interests and concerns of the multi-stakeholders in a balanced manner. The voice and experience of the indigenous people were a vital aspect of that process. The work of the Committee took into account the collective interests of indigenous peoples in their traditional know-how and in expressions of their traditional cultures. The Committee was also aware of the need to respect their customary laws and their claims on the use of their knowledge and resources. The actual physical genetic resources were not subject to intellectual property protection because intellectual property covered only intangible aspects. There was discussion within the Committee, however, on the extent to which intellectual property protection related to biotech inventions and on issues of access and benefit-sharing.

60. The Committee was currently discussing standards for the protection of traditional cultural expressions and of traditional knowledge, inter alia, to empower communities, encourage community innovation and creativity, promote intellectual artistic freedom, research and cultural exchange, preclude unauthorized intellectual property rights and prevent the misappropriation of traditional cultural expressions and expressions of folklore.

61. Intellectual property tools were increasingly being utilized by indigenous peoples. In addition, geographical indications had been registered in respect of handicrafts in Portugal, Mexico and the Russian Federation. Maori people in New Zealand had registered a certification trademark to assure the authenticity and quality of Maori creative arts. Several countries and regions such as the Pacific Island countries were updating their intellectual property laws to assure greater protection of indigenous rights. Australia, India, Panama, Peru, South Africa and Thailand, to name only a few countries, were considering or had put in place specific measures and legislation to provide intellectual-property-like protection for traditional knowledge and traditional cultural expressions.

62. WIPO had extended assistance to developing countries and traditional and indigenous communities in different countries and regions, including a series of awareness-raising and training workshops for indigenous women in Panama, focusing on use of intellectual property tools to protect their handicrafts for their cultural and economic benefit. WIPO was developing a toolkit for identifying and managing the intellectual property implications of the documentation of traditional knowledge. WIPO was also developing good practices and guidelines for museums, archives, libraries and researchers addressing the intellectual property issues that arose during the recording, inventorying, dissemination and reuse of traditional cultural expressions.

63. Participation of indigenous and local communities in the work of the Committee had been a vital aspect of WIPO's work. The Committee has initiated several innovative steps to enhance indigenous participation at its meetings such as a fast-track accreditation procedure and the holding of indigenous panels at the commencement of each Committee session. In October 2005 WIPO established a voluntary fund for indigenous and local communities devoted entirely to funding travel and living expenses of the members of indigenous or local communities to take part in the Committee sessions to be held in Geneva.

64. WIPO had collaborated with the United Nations and its agencies in matters dealing with indigenous issues, including a technical study on requirements of patent applications for genetic resources at the request of the Conference of the Parties to the Convention on Biological Diversity. WIPO had also worked in close cooperation with the Permanent Forum on Indigenous Issues and had been an enthusiastic member of the Inter-Agency Support Group for the Permanent Forum.

The meeting rose at 12.43 p.m.